

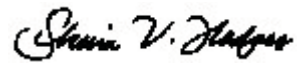
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Curtis Q. Owens,)	C/A No.: 1:10-3009-TLW-SVH
)	
Plaintiff,)	
)	
vs.)	
)	ORDER
Warden John R. Pate,)	
)	
Defendant.)	
)	

Plaintiff filed this action, which is construed as alleging violations of 42 U.S.C. § 1983. Defendant filed a motion for summary judgment on July 8, 2011. [Entry #23]. As Plaintiff is proceeding pro se, the court entered an order pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), on July 12, 2011, advising him of the importance of a motion for summary judgment and of the need for him to file an adequate response. [Entry #31]. Plaintiff was specifically advised that if he failed to respond adequately, Defendant's motion may be granted, thereby ending this case.

Notwithstanding the specific warning and instructions set forth in the court's *Roseboro* order, Plaintiff has failed to respond to the motion. As such, it appears to the court that he does not oppose the motion and wishes to abandon this action. Based on the foregoing, it is ordered that Plaintiff shall advise the court as to whether he wishes to continue with this case and to file a response to Defendant's motion for summary judgment by August 31, 2011. Plaintiff is further advised that if he fails to respond, this action will be recommended for dismissal with prejudice for failure to prosecute. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Shiva V. Hodges". The signature is written in a cursive style with a large, stylized 'S' and 'H'.

August 17, 2011
Florence, South Carolina

Shiva V. Hodges
United States Magistrate Judge